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van Laar, Jan Albert; Krabbe, Erik C. W.

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The Burden of Criticism: Consequences of Taking a Critical Stance

Jan Albert van Laar and Erik C. W. Krabbe

University of Groningen

ABSTRACT:

Some critical reactions hardly give clues to the arguer as to how to respond to them convincingly. Other critical reactions convey some or even all of the considerations that make the critic critical of the arguer's position and direct the arguer to defuse or to at least contend with them. First, an explication of the notion of a critical reaction will be provided, zooming in on the degree of "directiveness" that a critical reaction displays. Second, it will be examined whether there are normative requirements that enhance the directiveness of criticism. Does the opponent have in circumstances a dialectical obligation to provide clarifications, explanations, or even arguments? In this paper, it is hypothesized that the competitiveness inherent in critical discussion must be mitigated by making the opponent responsible for providing her counterconsiderations, if available, thus assisting the proponent in developing an argumentative strategy that defuses them.

KEY TERMS: Argumentation scheme, Connection premise, Countercriticism, Criticism, Directiveness, Fallacy, Presumption, Strategic advice

1. Introduction

Within the sphere of argumentation it is customary to stress the obligations of the proponent (protagonist, arguer) rather than those of the opponent (antagonist, critic). Proponents are to present arguments for their assertions on request and to answer criticisms of their arguments, whereas opponents are free to, and are even encouraged to, express all kinds of criticism (Johnson, 2000; van Eemeren & Grootendorst, 2004). This is the rough picture, for it has been pointed out that proponents must be free to express their standpoints and arguments, whereas an opponent's criticisms should conform to conditions of clarity and relevance (for instance, they should avoid the Fallacy of Straw Man). Yet, more attention has been paid to the dialectical obligations of the proponent (burden of proof) than to those of the opponent (burden of criticism).

It is time to restore the balance, and therefore this paper will be devoted to dialectical obligations of the opponent.

In one kind of case, the dialectical obligations of the opponent are quite obvious; that is when the criticism is expressed in terms of counterstandpoints or counterarguments. For in that case the opponent, who acts as a second proponent, will be accountable like any other proponent and will have the same kinds of dialectical obligations. The difference of opinion having become mixed, both parties will have a burden of proof. Without disregarding such cases, we want in this paper to pay special attention to those cases in which the opponent, without acting as a second proponent, calls into doubt the standpoint of the other and to study the dialectical obligations, if any, that typically ensue for the opponent.

Just as for a proponent putting forward a standpoint, the dialectical obligations for an opponent putting forward a criticism are conditional upon the reactions of the other. Therefore, we must investigate the various ways in which the proponent may react to criticism. More specifically, we are interested in critical reactions of the proponent. Criticisms are not exempt from "countercriticism" and even a simple expression of doubt can be criticized as unclear, as puzzling, or as inappropriate. In such a case, does the opponent have a dialectical obligation to provide clarifications, explanations, or even arguments? And if so, to what extent? The burden of criticism then, amounts in such cases to the dialectical obligation of an opponent to adequately react to criticisms of her criticism.

It should be noted that the term "burden of criticism," as we use it, does not denote an obligation to present criticisms. Its meaning is, therefore, not to be construed parallel to that of "burden of proof," which denotes an obligation, or a conditional obligation, to present a proof (or argument). We are not concerned with the obligation to criticize, but with obligations that ensue from having criticized the other. The former topic is of interest on its own account and was denoted by Walton as the "burden of questioning" (2003).

An example of a simple countercriticism in the form of a question can be found in the following dialogue:

Bruce: There is no living organism in this test-tube.
Wilma: Why not?
Bruce: There is no phosphorus in it.

Wilma: Are you sure?

Bruce: Why do you doubt our investigations?

When Wilma doubts (challenges) Bruce's statement about the phosphorus, Bruce incurs an obligation to argue for it. But Bruce appears puzzled by Wilma's doubt and does not immediately offer an argument. He may do so later, but first he asks Wilma to disclose her motivation for doubting that there is no phosphorus in the test-tube. Doing so he criticizes Wilma's critical question ("Are you sure?") as standing in need of explanation. Does Bruce commit here a Fallacy of Evading the Burden of Proof? We do not think so. The burden of proof is of course not discharged either: It is still there. But we do think that normally there would be a burden of criticism for Wilma here: If possible she should answer Bruce's question. Since an answer could very well pinpoint the issues that need to be resolved first in order to resolve the original difference of opinion (about whether there is a living organism in the tube), we think that Bruce's move would generally be a good one.

We shall defend this normative stance by arguing that the introduction of a burden of criticism (according to which Wilma must deal with Bruce's question) would facilitate the process of resolving differences of opinion. The general idea is that disclosing motivations for being critically disposed towards the proponent's position will improve the quality of the discussion and is in some circumstances even necessary for obtaining a resolution. The proposals we shall develop can be used to modify existing models of pragma-dialectics (van Eemeren & Grootendorst, 2004) and formal dialectic (Walton & Krabbe, 1995).

This paper is a sequel to an earlier paper we wrote about criticism and we shall summarize some points from that paper below (Section 2).[1] Next we shall survey the ways an opponent can critically react to the standpoints and arguments put forward by the proponent and see how these reactions can be to a lesser or greater degree "directive," i.e. provide the proponent with hints as to how to go about discharging the burden of proof (Section 3). We shall propose a normative model for a kind of interaction between proponent and opponent that allows the proponent to negotiate for hints and to offer countercriticism of various kinds depending on the prior status of the statement challenged by the opponent (Section 4). Doing so, we shall separately

[1] See Krabbe & Van Laar, "The Ways of Criticism" (2011b); prepublications of parts of this paper are (2010) and (2011a).

discuss the case of a challenge directed at an application of an argumentation scheme (Section 4.4). After having dealt with various fallacies that may accompany these exchanges (Section 5), we present some conclusions (Section 6).

2. Ways of criticism

The notion of criticism that underlies the present investigations is a rather broad one. In "The Ways of Criticism"[2] we characterized the different kinds of critical reactions in terms of four parameters or factors: the *focus* of a critical reaction, the *norm* appealed to in a critical reaction, the *level* at which a critical reaction is put forward, and the illocutionary *force* of a critical reaction.

A critical reaction can *focus* not only on standpoints or arguments but on any contribution or part of a contribution in an argumentative exchange, critical reactions themselves not excluded. Connection criticism, for example, is focused on the so-called "connection premise" (usually left implicit), which states the connection between the other premises (which we shall call "regular premises") and the conclusion of the argument. Tenability criticism is focused on the regular premises or on the initial standpoint.[3] Besides being aimed at a particular kind of speech act (or combination of speech acts), a critical reaction can focus on different aspects of the speech act. It can focus either on the propositional content of the speech act, or on its formulation, or on the person performing the speech act, or on the circumstances in which the speech act occurs. Consequently, a focus can be *propositional*, *locutional*, *personal*, or *situational* in character.

In a criticism, a *norm* may be appealed to because the norm is claimed to have been violated. But a norm may also be appealed to merely because the criticism puts one's interlocutor under some kind of obligation, as for instance when a critic expresses critical doubt vis-à-vis a standpoint taken by his interlocutor making the latter incur an unconditional burden of proof. Norms appealed to can be rules of critical discussion (van Eemeren & Grootendorst, 2004), which determine whether or not a fallacy has been committed, but they can also be norms of optimality, which

[2] See preceding note.
[3] In this paper, we subsume criticism focused on the initial standpoint under tenability criticism, whereas earlier tenability criticism was restricted to criticism focused on premises (Krabbe, 2002, 2007).

distinguish reasonable moves of better quality from those that, though not fallacious, are in some respect of lesser quality; further, norms appealed to can be institutional norms, which distinguish appropriate moves from those inappropriate within the institutional setting of the discussion.

As to *level*, critical reactions can be situated either at the ground level of discussion – when the reaction is directly relevant for the construction or destruction of the proponent's argumentation – or at a meta-level (containing discussion about the ground level discussion), for instance if the critical reaction aims at influencing the strategies followed in the ground level discussion and does only in an indirect manner contribute to the construction or destruction of the proponent's argumentation.

As to its (*illocutionary*) *force*, the speech act used in a critical reaction could be a directive, for instance a request or a challenge, but it could also be an assertive expressing an opposite standpoint, or pointing out a flaw in an argument, or charging the other with having committed a fallacy; or it could consist of an argument (say to sustain an opposite standpoint or a fallacy charge). Requests can aim at obtaining clarification about the meaning of an utterance (both its propositional content and its illocutionary force) or at obtaining some elucidation or explanation of why the speech act was performed.[4] Of the assertions used in criticisms, some are denials of what the other has said, and of these some are strong denials ("That's not the case") that count as opposite standpoints, but others are weak denials ("I don't think so") that carry merely the message that the other will probably not succeed in convincing the critic of the truth of the weakly denied proposition.

Moreover, critical reactions can be accompanied by *counterconsiderations* that the other party had better take into account when determining his argumentative strategy. These counterconsiderations function as directives conveying *strategic advice* to the other.[5] For instance, a challenge can be accompanied by a consideration that explains to the proponent why the opponent is critically disposed to the standpoint. In the example of Section 1, Wilma could – instead of merely asking, "Are you sure?" – have pointed to some additional way of testing for phosphorus. The advice for Bruce then is that – unless he accepts the criticism and withdraws his

[4] The latter possibility was not discussed in our earlier paper, but will be discussed below.
[5] This is a critical kind of strategic advice. In addition, there is also strategic advice that is not critical. In that case, the opponent does not hint at a counterconsideration, but at a consideration that would support the proponent's position: "Why *T*? Is it because of *S* (which might be a reason for *T*)?" In this paper, the term "strategic advice" refers to the critical kind.

standpoint until further testing has taken place – he must show this additional testing to be unnecessary in order to defuse Wilma's doubts. Similarly, counterconsiderations that accompany an opponent's weak denial explain why she deems it unlikely that the other will succeed in convincing her and thus yield strategic advice for the proponent about how to overcome her critical disposition. Strategic advice for the proponent is also given if the opponent produces a counterargument to support an opposite standpoint, for such an argument will provide the proponent with considerations that he must refute in order to succeed.

3. Degrees of directiveness

To some extent each critical reaction seems to have a directive function. The proponent is somehow urged to react. But there are degrees to which "directiveness" is exhibited in criticism. The opponent may enhance the degree of directiveness by adding some reasons for doubt (counterconsiderations), thus giving hints and information that serve to instruct the proponent (strategic advice). What are the options for the opponent? Below we shall deal with this issue, as we review a number of critical reactions (summarized in Figure 1) in which the opponent challenges an assertion *T* put forward (explicitly or implicitly) by the proponent.

Note that our use of the term "directive" differs from Searle's (1979, pp. 13-14) in one respect. As we use it, "directive" is a gradable adjective that characterizes not only argumentative moves that are directives in Searle's sense, but also more complex argumentative contributions that contain, in addition to directives in Searle's sense, assertive speech acts.

First, an opponent can raise a "pure challenge" (Krabbe, 2007, p. 56), typically by saying something of the form "Why *T*?,"[6] for instance: "Why is there no living organism in this test-tube?" (tenability criticism), or: "Why wouldn't there be a living organism in this tube if there's no phosphorus in it?" (connection criticism). Such a pure challenge is: (1) focused on an explicit or implicit assertion or part of an assertion by the proponent; (2) appealing to a norm for critical discussion according to which the proponent's assertion must either correspond to one of the opponent's

[6] Here the why-question has to be understood as a challenge, i.e. a request for argumentation.

concessions or be justifiable on the basis of these concessions; (3) taking place at the ground level of dialogue; and (4) having the force of a request for argumentation. Of course, being a directive, in Searle's sense, a pure challenge exhibits some degree of directiveness, but from our comparative perspective only a low degree. It directs the proponent to offer argumentation, without providing any clues as to the nature of that argumentation.

Second, an opponent can raise a "bound challenge" (also labeled "mild objection," Krabbe, 2007, p. 56), by providing a counterconsideration *S* that, with more or less precision, specifies a potential circumstance that might call *T* into question. A typical, but loose, way of introducing a bound challenge would be by saying something of the form "Why *T*?; What about *S*?," for example: "Are you sure about there being no living organism in this tube on account of the absence of phosphorus? What about the possibility that arsenic is doing the work of phosphorus?" As we shall explain below, providing a counterconsideration increases the degree of directiveness by giving the critical reaction the force of an advice besides that of an explanation.

In a third type of critical reaction (not discussed in Krabbe's paper), an opponent would challenge *T*, and add an argument for the appropriateness of doing so. Typically, this will be to the point if *T* counts as a common presumption (see Section 4.1). Let's label such a contribution as an "argued challenge." For example, the opponent can point out that, although *T* is a common presumption, and could until now have been considered an unquestionable point of departure, information has surfaced that justifies the opponent's retraction of her commitment to *T*, or that there are practical reasons to abandon the presumption. In the example given above, Wilma could challenge the unstated connection premise of the first argument: "If there is no Phosphorus in the tube, there is no living organism in the tube" (which could count as a common presumption) and start arguing against it: "In view of such and such recent findings, the time has come to doubt the CHNOPS-assumption (according to which life is made up from carbon, hydrogen, nitrogen, oxygen, phosphorus and sulfur) and open our minds to the flexibility of life." Such an argued challenge, being an attempt to provide a justification for challenging a presumption, would provide strategic advice to the proponent and hence displays a high degree of directiveness.

Fourth, an opponent can critically react to a standpoint *T* by denying *T*: either by strongly denying (or, as we say, rejecting) *T* (Krabbe, 2007, p. 57), for instance:

"You're wrong: There is life in this tube," or by weakly denying *T*, for instance: "As far as you've shown or are likely to be able to show, there may still be life in this tube." These moves, by implication, challenge the proponent to defend *T*. But in addition, the opponent adopts as an opposite standpoint not-*T* (in the case of a strong denial) or conveys the message that he deems it unlikely that *T* will be successfully defended (in the case of a weak denial). By themselves strong and weak denials of *T* must be considered as no more directive than merely doubting *T*. In case of a strong denial, the opponent can, however, choose to add counterargumentation (argumentation in favor of not-*T*) for example: "There is life in this tube, for I put in some microbes that can live by using arsenic instead of phosphorus." As we have seen at the end of Section 2, such an argumentation also provides the proponent with the strategic advice to defuse the counterconsiderations it puts forward. Hence counterargumentation increases the degree of directiveness. The same holds for counterconsiderations accompanying a weak denial.[7]

Pure challenge		
Bound challenge		
Argued challenge		
Denial	Strong denial (= rejection)	Strong denial without counterargumentation
		Strong denial with counterargumentation
	Weak denial	Weak denial without counterconsiderations
		Weak denial with counterconsiderations

Figure 1. Four kinds of critical reaction

Now that we have dealt with four of the ways in which a critical reaction can be directive, we shall examine the notion of a counterconsideration, and with it that of a strategic advice, in some more detail. A counterconsideration *S* can be approached from two perspectives. First, *S* can be characterized by revealing how it is instrumental for the opponent in accomplishing her individual aim, which is to show to the proponent that her position of maintaining a critical stance towards *T* (the main

[7] Notice that a weak denial with a counterconsideration is equivalent to a bound challenge together with the message that the opponent deems it unlikely that *T* will be successfully defended. A bound challenge does not by itself express any expectation about the outcome of the discussion.

standpoint) is a tenable position, in spite of her commitments. *S* provides such an explanation. In our example, since arsenic might take the role of phosphorus (*S*), it is clear how Wilma can challenge Bruce's standpoint (*T*) in a tenable manner. Second, *S* can be characterized by revealing how it assists the proponent in realizing his individual aim, which is to show to the opponent that her concessions, and other commitments, really commit her to the standpoint as well. *S* provides the proponent with the message that, in order to convince the opponent of his standpoint, a successful argument in favor of the denial of *S* or of the denial of the refutatory potential of *S* for *T* will be needed, and thus *S* provides the proponent with strategic advice.

The opponent herself may stress either of these two ways of understanding her counterconsideration. For one, she may stress the first perspective (tenability of a critical stance), for instance when offering a bound challenge: "Why *T*? As far as you've shown, *S*" or "Why *T*?; I was thinking that possibly *S*, and if *S* then not-*T*." But then, she could stress the second message (strategic advice): "Why *T*?; Have you thought about *S*?" or "Why *T*?; Can you prove that not-*S*?" However, from our point of view, where motivations in a psychological sense are not directly relevant, we can represent these two variants of putting forward critical considerations in the same way: In both cases the counterconsideration shows how the opponent thinks it to be possible to realize her dialectical aim, as well as how the proponent should proceed in order to stand a chance of realizing *his* dialectical aim.

So, the opponent's advice is on the one hand critical and in line with the dialectical division of labor[8] in which each party tries to realize its individual aim, but on the other hand cooperative: transcending the division of labor by offering the proponent information that he needs to accomplish his aim. In the next section, we shall see that the proponent may even request the opponent to explain her position with the further aim of profiting himself. However, our view is that strategic advice is primarily a critical move. Even if the opponent complies with such a request, this will not count against the primary critical nature of the opponent's answer (the counterconsideration). Yet, strategic advice has, much more strongly than other forms of criticism, a dual nature.

[8] Cf. Rescher (1977, pp. 17-18) on probative asymmetries.

Bound challenges, counterargumentations, and argued challenges can be more or less directive – but, offering counterconsiderations, they are always more directive than pure challenges and mere (strong or weak) denials. So, the directiveness is first of all raised by giving a counterconsideration, *S*, and can then be brought to even higher degrees by either adding a further counterconsideration or by informing the proponent how *S* might be negatively connected to the proponent's position.

As we saw in Section 2, criticisms can be focused on distinct aspects of the proponent's standpoint or argument. Correspondingly, there are different types of directiveness, which we here illustrate by different kinds of bound challenge. First, the opponent can *propositionally bind her challenge* by indicating what propositions must be refuted or what argumentative connections must be supported. Second, the opponent can *locutionally bind her challenge*, by indicating what kind of terminology is understandable, persuasive, or otherwise acceptable to her. Third, she can *personally bind her challenge*, by indicating how the proponent should behave in order to be taken seriously as an arguer. For example, the opponent can challenge a standpoint and add that the proponent would have to live in accordance with what he is preaching in his standpoint in order to be taken seriously. Fourth, she can *situationally bind her challenge*, by indicating how the situation would have to change for her to be willing to ever accept or even hear through the proponent's standpoint or argument: "Why would our economy be in danger? Your even considering this proposition may make matters worse." In this paper, however, we restrict attention to propositional directiveness.

As a standard way of formulating challenges with full-fledged strategic advice, we propose: "Why *T*? Counter (**S* and **(*S* is a good reason against *T*))," where * and ** stand each either for the illocutionary force that Rescher labeled as "cautious assertion" or for the illocutionary force that he labeled as "categorical assertion," which corresponds to normal, Searlean, assertion – yielding four possibilities.[9] We follow Rescher's view on cautious assertion, which he indicates by †, as a way to "assert" a proposition without becoming committed to the proposition. †*P* stands for: "*P* is the case for all that you (the adversary) have shown" or "*P*'s being the case is compatible with everything you've said (i.e., have maintained or conceded)" (Rescher, 1977, p. 6). So, the opponent can offer a strategic advice without becoming

[9] We shall use "Counter *S*" as shorthand for "Counter (**S* and **(*S* is a good reason against *T*))."

committed to defending any proposition, but she can also choose to categorically assert either her counterconsideration, or the negative connection between the counterconsideration and the proponent's standpoint, or both. In these latter cases, the difference of opinion turns into a mixed one. For the purpose of informing the proponent about whether and how to proceed, each of these kinds of advice, however, is equally directive by carrying the same message: Either convince the opponent that not-*S* or convince the opponent that *S* would not be a good reason against *T*, or – in special circumstances (see Section 4.4) – show that *S* is too far-fetched and need not be taken into account.

In this section we have seen that the directiveness of the opponent's critical reactions can diverge. Let us now turn to the proponent, and inquire into the normative issue whether the proponent has a right to urge for and obtain highly directive criticism from the opponent.

4. Urging for more directiveness

4.1 Modes of the opponent's prior commitment to a challenged statement

After the opponent has finished her move in which she provides the proponent with her criticism of his standpoint or of part of his argument, the proponent could be satisfied with the directiveness of that criticism. When he has a clear enough impression of the opponent's position for deciding whether to proceed and, if so, how to proceed, the proponent may continue the discussion, for example by giving an argument and discharging his burden of proof in that way. In other cases, he may not be satisfied and be disposed to raise countercriticism. Before deciding about whether and how to discharge his burden of proof, he may want the opponent to give reasons for her criticism, by providing him with (further) counterconsiderations that could assist him in making strategic choices. We shall first, in Section 4.2 and 4.3 examine the situation in which the opponent has challenged or even rejected an initial standpoint or a regular premise of some argument. Next, in Section 4.4, we shall deal with connection premises that ensue from arguing in line with an adopted argumentation scheme, and examine the dialectic that ensues from challenging such connection premises. What should be the proponent's options, when confronted with

such challenges? In what senses of "providing reasons" can the proponent request the opponent to provide reasons? We shall examine three options available when responding to challenges, and discuss the norms that should govern these options (see Figure 2).[10] A number of reasonable exchanges shall be assembled in a profile of dialogue (Krabbe, 2002; see Figure 3). Before listing the proponent's options and the subsequent responses of the opponent, we investigate the ways in which the challenged proposition *T* relates to the opponent's set of concessions. As we shall see, the options and responses partly depend upon on the kind of prior commitment to *T*, if any.

First, *T* could be a "fixed concession," such that the parties have decided in the opening stage of the discussion that the commitment to it is unretractable throughout the discussion at hand (Krabbe, 2001, p. 152). A reason for agreeing upon a fixed concession could be that this point of departure is considered to be inherent in the kind of discussion the parties intend to have. Take, for example, the acceptance of particular axioms in a specific mathematical conversation, or the acceptance of evolutionary principles in a biological one. *T* might also be a connection premise. Suppose the participants accept *modus tollens* as a deductively valid reasoning scheme, then if the connection premise of an argument at hand happens to instantiate the law of *modus tollens* (by being a conditional sentence having the form "If both if *A* then *B*, and not-*B*, then not-*A*"), this connection premise can be considered as a fixed concession on the part of these participants. We suppose that a challenge of *T* by a discussant who is herself committed to *T* always implies a retraction of commitment to *T*. Since the retraction of a fixed concession is illegal, so is the challenge (see our Section 5 on fallacies). In the present section, we shall further disregard challenges of fixed concessions.

Second, *T* could be a "presumption." Presumptions are concessions that are retractable in principle, be it that their retraction involves a dialectical obligation to account for the retraction if asked to do so (Krabbe, 2001, p. 151). Challenging and thereby retracting commitment to a presumption counts as a substantial change of the nature of the dialogue. Therefore, withdrawing such commitments should not be so easy, considering that the proponent's decision to enter the discussion could have been (partly) based on the presence of these commitments. But neither are these

[10] In our view, these are general norms that apply also to contexts that happen to be quite adversarial, such as an eristic discussion (Walton & Krabbe, 1995) or a dispute in Dascal's sense (Dascal, 2008).

commitments to be considered as completely fixed: Sometimes their retraction must be allowed in order to attain a level of flexibility that is needed for making progress in a discussion. Among the presumptions one finds (a) propositions and argumentation schemes[11] agreed upon, in the opening stage of the discussion, as non-fixed initial concessions. Among the presumptions one further finds (b) propositions and argumentation schemes that count either as common knowledge within the institutional setting in which the discussion takes place or as accepted within the institutional setting for practical purposes. In these cases, the commitment to the presumption *T* has been incurred by entering that institutional setting. Think of a vicar who, by climbing the pulpit, can be presumed to accept the existence of God. Or of a biologist who is presumed to have accepted the CHNOPS presumption. And even a philosophical skeptic who starts chitchatting becomes, for the duration of that kind of conversation, committed to everyday presumptions such as having a mind, or a physical body. Thus, propositions and argumentation schemes that are binding to participants that engage in a particular type of activity can be treated as equal to explicit initial non-fixed concessions. Among the presumptions one also finds (c) the (non-fixed) concessions that have been conceded in the dialogue as a result of an argument, certainly when the argument was based exclusively on other presumptions (or fixed concessions) as premises.

Third, *T* could be a "free concession" (Krabbe, 2001, pp. 153-157), for the reason that the opponent has admitted the proposition at hand as acceptable to be used at a certain point, but not necessarily for the duration of the entire discussion. For example, she might be committed to a proposition *T*, merely by having refrained from criticizing *T*, leaving the option open to challenge *T* at a later stage and thereby to retract her commitment to *T*. But as we shall see (in Section 5, fallacy 3), also in the case of free concessions, there are additional requirements for proper retractions.

Fourth, *T* might not be a concession at all, for example because *T* has never been explicitly or implicitly conceded, or because the commitment to *T* has clearly been retracted at some earlier turn in the discussion.

4.2 The proponent's countercriticisms against tenability criticism

[11] The role of argumentation schemes will be explained in Section 4.4.

In response to a challenge (or rejection), the proponent may make moves such as: withdrawing from the discussion; requesting for a clarification of the opponent's critical reaction; presenting an argument in favor of the proposition under attack; requesting the opponent to seriously reconsider whether, as a matter of fact, she is willing to abandon her previous commitment to that proposition (cf. Krabbe, 2001, p. 153); or charging the opponent with having committed a fallacy. The critical moves of the proponent that we want to examine in further detail are, however, different: They are all aimed at getting the opponent to provide reasons (in one sense or another) for her critical reaction by putting forward some sort of counterconsideration. Below we distinguish between three such countercriticisms. We shall at first restrict attention to countercritical moves in response to tenability criticism; those in response to connection criticism will be discussed in Section 4.4.

A first option is to request the opponent to explain her motivation for the challenge. Note that this option is also available in response to a rejection (strong denial), because a rejection implies a challenge. What kind of explanation could the proponent ask for? Obviously, he would like to obtain from the opponent an explanation (of her motivation for the challenge) that would help him to make opportune decisions about the strategy to follow.[12] The two perspectives that an opponent may stress when offering counterconsiderations can also be used by the proponent when formulating such a request. From the perspective of getting the opponent to articulate a tenable critical position by putting forward (further) counterconsiderations, the proponent may phrase his request in ways such as: "What makes you doubt *T*?," or "What motivates you to be critical of *T*?" From the perspective of obtaining strategic advice, a natural way to phrase the request is: "What kind of argument for *T* would convince you?," or "What should I refute in order to make you retract your critical doubt towards *T*?" Again, we understand these formulations as giving the same message to the opponent, and capture this "request for explanation" by the move "Explain (Why *T*?)," for example: "Explain your reluctance to accept that there is no phosphorus in the test-tube." In this way, the proponent attempts to let the opponent transform her pure challenge into a bound challenge.

[12] This kind of explanation is distinct both from clarification of meaning (a move we do not here discuss) and from argumentation (as we shall see).

A special case of a request for explanation occurs when the opponent has already offered a counterconsideration *S*, and the proponent wants her, in addition, to explain how *S* is negatively relevant to his criticized assertion *T*: "Explain (Why *T*?; given *S*)." In this way, the proponent attempts to let the opponent transform her bound challenge into a more elaborate bound challenge.

Note that this countercriticism is not really a counterchallenge, that is, it is not aimed at letting the opponent provide argumentation. Instead, the opponent is requested to provide a consideration that (further) explains to the proponent why she considers her critical position a tenable position, despite her commitments. Though some kinds of explanation can be subsumed under the concept of argumentation, we here meet with a kind that is really different from persuasive argument: It is not an attempt to convince the other and need not start from propositions conceded by the other. Admittedly, such an explanation can be seen as having a persuasive function on a different level, in so far as the opponent convinces the proponent to provide argumentation that defuses her counterconsiderations as reasons for withholding consent to the proponent's main standpoint. The primary function of the "Explain (Why *T*?)"-move, however, is to request for explanation that functions as a strategic advice.[13]

A second option is to challenge the opponent to defend the denial of what she had challenged, by putting forward a "request for counterargumentation": "Why not-*T*?"; "Why would there be any phosphorus in this tube?"[14] In that case, there is a shift taking place, as the proponent imposes on the opponent a burden of proof. In this way, the proponent attempts to let the opponent provide counterargumentation. As shall become clear, this option is often not admissible.

[13] According to Dascal (2011, last paragraph) – in a commentary on an earlier presentation of this topic (Van Laar & Krabbe, 2011) –: "The majority of debates are non-dichotomous or if they bear a dichotomous appearance, they can be de-dichotomized, thus allowing for alternatives other than the choice of one of the opposite poles." He continues to observe that "the cooperative moves [such as presenting a counterconsideration that provides strategic advice] highlighted by van Laar and Krabbe can be seen as an important factor in other forms of resolution of differences of opinion [such as ...] reframing the contenders' positions and attitudes in a debate" Thus the presentation of counterconsiderations would have a de-dichotomizing effect. We understand this observation as implying that a counterconsideration may not only suggest an advice for the proponent about how to defend his current standpoint successfully, but in particular situations also offer him advice about how to revise or change his main standpoint so as to arrive at a standpoint for which a strategy to persuade the opponent is available.

[14] Here *T* is the proposition that there is no phosphorus in the test-tube and not-*T* is the proposition that that is not the case, i.e. that there is some phosphorus in the tube.

A third option is to challenge the opponent's challenge by putting forward a "request for validation," "Why (Why *T*?)?" (Krabbe, 2001, p. 151), for example: "Why challenge my argument?" or "Show me the legitimacy, or appropriateness, of your challenging my statement that there is no phosphorus in this tube." Again, the proponent imposes a burden of proof on the opponent. And again we shall see that this is not always admissible. However, the standpoint that the opponent is asked to defend is not so much that not-*T*, but rather that the norms allow the opponent to challenge *T* in the circumstances at hand. The proponent may leave his counterchallenge quite unspecified, or he may specify his counterchallenge by either appealing to the rules for critical discussion, or alternatively, to institutional rules. For example, if the opponent challenges the CHNOPS-presumption, and the proponent surmises that doing molecular biology precludes the opponent from retracting her commitment to this presumption, he can challenge the opponent to defend, not that the presumption is false, but that the circumstances in the discipline have been changed in such a way that its retraction has become methodologically fruitful. The proponent urges the opponent to account for her speech act of challenging *T* by offering an argument. In this way, the proponent attempts to let the opponent transform her challenge into what we referred to earlier as an argued challenge.

4.3 The dialectic of tenability criticism

Is each of these three ways of asking the opponent for reasons legitimate? And how is the opponent to react? The answer partly depends on the prior status of the challenged proposition as either a presumption, a free concession or as a proposition that has not been conceded at all. We shall examine the requests for explanation, counterargumentation, and validation in turn (see Figure 2 for a survey of the norms and Figure 3 for a profile of some admissible dialogues).

A *request for explanation* aims at an explanation of the opponent's motivation for her position, or equivalently in our argumentative setting, at some strategic guidance from the opponent. Since such a request could yield information that would be profitable for the resolution of the difference of opinion, it should be a permissible move for the proponent (see Norm 1 in Figure 2). But is the opponent under the obligation to provide the requested strategic advice? First, we consider situations

where the challenged proposition *T* is a free concession or not even conceded. Second, we deal with presumptions.

According to the dialectical division of tasks, it is up to the proponent to develop a convincing argumentative strategy, and to the opponent to maintain a consistent position without failing to respond to the proponent's defense. In light of this specific task of the opponent, if *T* is a free concession or not even conceded, the rules for critical discussion should not require the opponent to provide strategic advice, if requested. The opponent is generally free to express her critical stance towards the proponent's standpoint (or substandpoint) *T* without providing any further explanation of what underlies her criticism, and so without disclosing any considerations that are to be defused before she will accept *T*. There is one exception: There is actually an obligation to disclose these considerations when the proposition *T* has been challenged by putting forward a weak denial of *T*, which expresses the opponent's negative expectations about the proponent's chances to successfully defend *T*. This expressed assessment by his opponent entitles the proponent to some explanation (see Norm 2 in Figure 2).[15]

However, from a different perspective there is always a kind of responsibility on the part of the opponent for providing strategic advice. Even though the rules should not strictly demand such advice, the quality of the discussion will improve and the process of working towards a resolution of the difference of opinion will be furthered if the opponent discloses her counterconsiderations. So, even though the offering of strategic advice and the refusal of it are equally licit, the former is the better move in a critical discussion. In our view, this consideration applies equally whether the opponent has challenged a proposition that has not been conceded or a free concession or a presumption. It can be expected that the proponent is more strongly motivated to request for explanation in case a presumption has been challenged, and less so in case of a proposition that has not been conceded: Still in each case, the opponent has a kind of responsibility for disclosing her critical considerations to the extent that she is aware of them.

Let us now have a closer look at the situation where the opponent has challenged a presumption *T*. As we saw, the ideal of optimal discussion behavior incites the opponent to provide her counterconsiderations. But should there be, in

[15] In case of a strong denial (rejection) the proponent is entitled to demand counterargumentation, see below.

addition, rules for critical discussion that make such advice obligatory? We think there should: *T* may be a presumption due to an explicit agreement in the openings stage to treat *T* as an unproblematic point of departure, or due to a more implicit agreement to accept *T* resulting from entering a particular, institutionalized type of activity, or due to an accepted (presumption-based) argument to the effect that *T*. In all cases, challenging, and thereby retracting *T* results in a change of the nature of the discussion that the proponent might consider vital. If so, an explanation on the opponent's part may be necessary for the proponent to decide whether to continue the discussion, and if so, which proper argumentative strategy then to choose. Consequently, the resolution of the dispute requires a further explanation (see Norm 3 of Figure 2). For example, if Wilma and Bruce started from the presumption that phosphorus is absent in the tube, and Wilma challenges this presumption, she must at Bruce's request disclose her stance in more detail to assist him in making decisions about how to proceed.

A *request for counterargumentation* aims at argumentation by the opponent in favor of the denial of the proposition that she had challenged. Here we must make a distinction between critical reactions that contain the opponent's rejection of *T* and those that do not. In the latter cases, and in these only, we consider such a request as inappropriate in a critical discussion, irrespective of whether *T* is a proposition that has not been conceded, or a free concession, or a presumption (see Norm 4 in Figure 2). The reason is that a mere challenge (whether pure, bound, or argued) of *T* does not imply a commitment to not-*T*, nor does a weak denial (with or without counterconsiderations).[16] Of course, counterargumentation could provide the proponent with strategic advice, and for this reason the proponent may want to hear how the opponent would defend not-*T*. Yet, not-*T* not being a standpoint, the proponent should make a request for explanation if he needs hints, rather than unduly burdening the opponent with the task to offer counterargumentation. Of course, matters are different if the opponent actually did reject *T*. By rejecting *T* she has incurred an obligation to defend not-*T* if the proponent subsequently requests such a defense (see Norm 5 in Figure 2). The difference of opinion has become mixed, as far

[16] Also a failed defense of not-*T* does not imply that *T* can be defended successfully (nor does a successful defense of not-*T* exclude a successful defense of *T*). The discussion about not-*T*, therefore, is not directly relevant to that about *T*.

as the issue about *T* is concerned, and the party who initially was only an opponent has become also the proponent of not-*T*.

In contradistinction to our point of view, the critical rationalist David Miller seems, at first sight, to take for granted that the critical testing called for in critical rationalism implies an obligation to provide counterargumentation. Miller writes: "the critical rationalist's answer to the question 'Why do you think that *h* is true?' or 'Why do you think that action *a* should be performed?' will be 'Why not?'" (Miller, 1994, p. 71). Miller seems to let the proponent challenge the opponent to provide counterargumentation.[17] However, Miller explains that he does not consider the invited answer really as a "reason" for the falsity of *h* or for not performing *a*, as becomes clear from the way the text continues: "But this [the move "Why not?"] is an invitation to cite some disadvantage of *h* or *a*, not to marshal reasons against it or in favor of some alternative" (p. 71-72). Our distinction between the move "Why (not *T*)?" and "Explain (why *T*?)" might assist in clarifying the distinction that is needed: A critical test of a standpoint (which could correspond to a scientific hypothesis or to the recommendation of an action) can be invited by the request for explanation (Miller's "Why not?"), and need not be (and indeed: should in many cases not be) invited by the request for counterargumentation (our "Why not-*T*?").

A *request for validation* aims at argumentation by the opponent in favor of the legitimacy or appropriateness of her challenge of *T*, and more in particular, of the legitimacy of her retraction of *T* as a concession, in case such a retraction is implied by this challenge. Such a request is in our view legitimate if *T* is a presumption – again because in that case retracting *T* results in a change of the nature of the discussion that the proponent might consider vital (see Norm 6 in Figure 2). But not so when *T* is merely a free concession or even not conceded at all. There is no point in getting the opponent to provide an argument for the "retraction" of *T* if she is not committed to *T*, or if it is clear that *T* is freely retractable (see Norm 7 in Figure 2).

In the ensuing metadiscussion about the challenge, the opponent must provide an argument in favor of the legitimacy of her retraction (see Norm 8 in Figure 2). In many cases, the opponent will defend the legitimacy of the retraction by making a reference to the same considerations that she would have put forward when being

[17] Similarly, Popper gives the proponent of a theory the right to await counterargumentation, especially a refutation by *modus tollens*, which is portrayed as the "falsifying mode of inference" (Popper, 1972 / 1959, p. 76). The proponent, however, is supposed to be his own opponent.

confronted with a request for explanation of her original challenge. After having been presented with her response – for example an argument for the admissibility of the challenge, based on a counterconsideration *S* – the proponent should return to the ground level discussion, and proceed from where he left it, probably by offering an argument in which he defuses *S* as an acceptable refutatory consideration.

A position that resembles ours has been developed by Michael Rescorla in his discussion about "dialectical foundationalism" (the idea that challenges sometimes incur a burden of proof) versus "dialectical egalitarianism" (the denial of this thesis). Yet, there are also differences. About what we would call presumptions, Rescorla writes:

> "In an ordinary conversation, someone who challenges [the presumption] *I have a physical body* undertakes a conversational burden. But it is not a burden of proof. It is a burden of *explanation*. The challenger must elucidate his position, thereby helping the original speaker isolate the relevant mutually acceptable premises which *rapprochement* [i.e. agreement on propositions] requires" (Rescorla, 2009, p. 100).

In our terms, Rescorla is telling us that in this case of challenging a presumption, there is an obligation on the opponent's part to provide some explanation, but not to offer counterargumentation. We hold, however, that in addition the opponent must argue for the appropriateness of (provide a validation of) challenging the presumption "I have a physical body," if asked to do so.

We conclude this section by presenting two surveys. In Figure 2, we summarize the norms (the rights and obligations) that pertain to and result from the three countercriticisms we have discussed. In the left column we list the three countercriticisms and in the other columns we show whether a countercriticism is permissible and whether or under what conditions an answer is required. The right column treats the case where the challenged assertion is a presumption and the middle column treats the other cases.

P's move ▼	***T* is a free concession or not even a concession**	***T* is a presumption**
Explain (Why *T*?) (Request for explanation)	Permissible move (**Norm 1**) An answer is required if and only if the challenge was introduced by means of a weak denial of *T* (**Norm 2**)	Permissible move (Also **Norm 1**) An answer is required (**Norm 3**)
Why (not-*T*)? (Request for counterargumentation)	Permissible only in response to a rejection (not-*T*) (**Norm 4**) An answer is required if the move was permissible, otherwise a fallacy charge may follow (**Norm 5**)	Permissible only in response to a rejection (not-*T*) (Also **Norm 4**) An answer is required if the move was permissible, otherwise a fallacy charge may follow (Also **Norm 5**)
Why (Why*T*?)? (Request for validation)	Impermissible move (**Norm 7**) A fallacy charge may follow	Permissible move (**Norm 6**) An answer is required (**Norm 8**)

Figure 2: Eight norms for countercriticisms and responses to countercriticisms

In Figure 3 we show a profile of dialogue consisting of a number of sequences of moves that the norms, discussed above, admit. Since we are here especially interested in countercriticisms by the proponent (P) and responses to countercriticisms by the opponent (O), we have not included all reactions that are legally possible. For instance we did not include those in which the proponent presents an argument to defend his (sub)standpoint (*T*). In each branch of the diagram, the arrows show a possible course of the dialogue, the proponent and the opponent take turns.

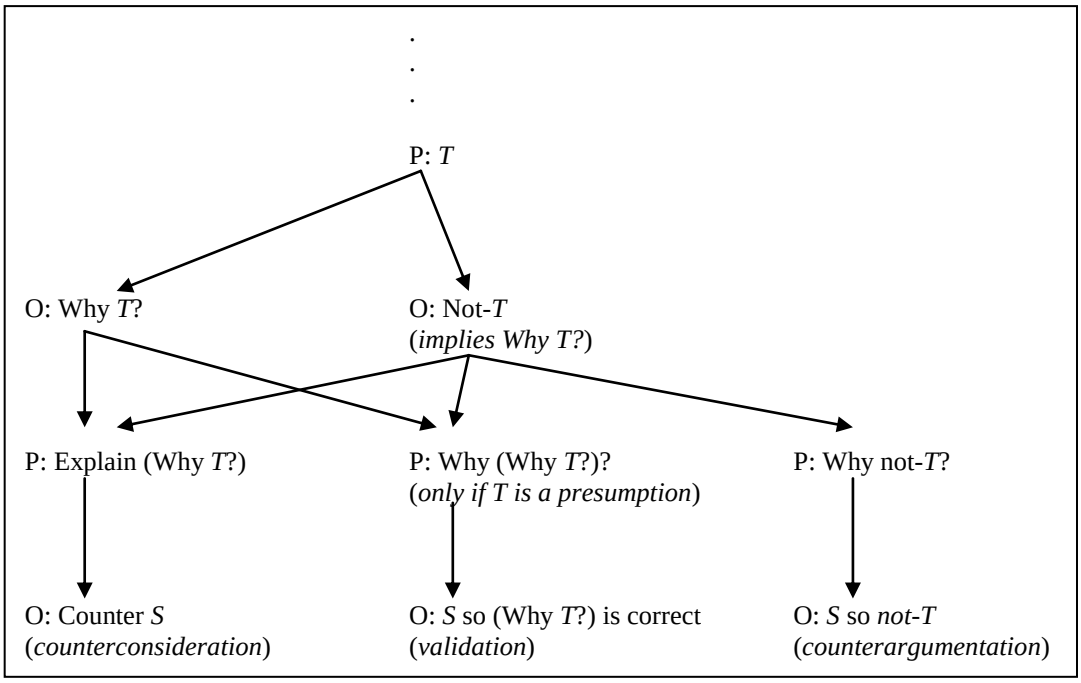

Figure 3: A profile of dialogue

4.4 The dialectic of connection criticism[18]

In our discussion of the dialectic of connection criticism by the opponent, we shall restrict ourselves to connection premises that result from instantiating a defeasible, non-deductive argumentation scheme, such as the argumentation schemes for arguments from authority. Successful use of such an argumentation scheme presupposes a commitment to the scheme as a special kind of concession, either a fixed concession, or a presumption, or a free concession. We here assume that both participants are committed to the argumentation scheme at hand either as to a fixed concession or at least as to a presumption, leaving aside situations where the scheme has merely been conceded as a free concession, or not been conceded at all. Being committed, in one of these to ways to a scheme implies, we would say, a commitment as to a presumption to the connection premise of each argument that instantiates the scheme. Defeasibility excludes that one would be committed to these connection premises in a fixed way, although the commitment to the scheme itself could be fixed.

[18] This section is based on Van Laar (2012).

Suppose that, at a preliminary stage of the discussion, Wilma and Bruce have adopted - either as a fixed concession or as a presumption – the following argumentation scheme, which we shall label "From Expert Opinion," as a defeasibly correct argumentation scheme: "X says that *P*; X is an expert on matters such as *P*; Therefore *P*." Suppose again that Bruce (the proponent) argues "My professor says that there's no life without phosphorus; My professor is an expert on microbiology; Therefore there is no life without phosphorus," making it clear to Wilma that his argument instantiates From Expert Opinion. Commitment to a scheme as a fixed or presumptive concession entails commitment to the connection premise of each instance of that scheme as a presumptive concession. Therefore, Bruce can be seen to appeal to the connection premise of his argument as to a presumption: "If my professor says that there's no life without phosphorus, and if my professor is an expert on microbiology, then there is no life without phosphorus." This connection premise expresses the link between the argument's premises and its conclusion without generalizing from the context in which the reasoning has been put to use. Given the argumentative context, the practical message of a connection premise is that a commitment to all of the (explicit or implicit) regular premises entails a commitment to the conclusion.[19]

That the connection premise counts as a presumption does not exclude its being criticized by the opponent. Basically, there are two ways for Wilma to criticize Bruce's connection premise: criticizing the admissibility of the argument scheme From Expert Opinion itself, or criticizing the way it is applied (cf. van Eemeren & Grootendorst, 1992, pp.160-165). Supposing Wilma's commitment to the scheme From Expert Opinion was merely presumptive, and not fixed, one possible way for her to take a critical stance would indeed be to utter doubts, not only about Bruce's connection premise, but also about the very argumentation scheme that underlies this premise ("I no longer consider myself committed to the argumentation scheme From Expert Opinion"), thereby effectively retracting her presumptive commitment to this

[19] There is a close link between the connection premise of an argument from expert opinion and the argumentation scheme From Expert Opinion. The first is an instance of the associated conditional of the second. For that reason, if the opponent were to challenge this specific connection premise, a generalization of the associated conditional of the argumentation scheme could be used by the proponent as a premise of an argument in its favor: "Generally, if experts say something within their field of expertise it must be presumed to be true, therefore if my professor says that there's no life without phosphorus, and if my professor is an expert on microbiology, then there is no life without phosphorus."

scheme. In that case Bruce, however, may ask for a validation of Wilma's retraction of commitment to the presumption that this scheme would be acceptable in their discussion. The discussion would then shift to a meta-level, being concerned with the issue of the credits of the argumentation scheme From Expert Opinion and not directly with that of whether there is life without phosphorus.

If Wilma does maintain her commitment to From Expert Opinion, she may still criticize its use in the case at hand for the reason that From Expert Opinion is a defeasible scheme. From Expert Opinion allows of excepting instances such that the premises are acceptable while there is still good reason not to give in and accept the standpoint. Experts are generally reliable, but this professor might be biased, or drunk, or lying, so that the opponent is justified to reckon with the possibility that the case at hand forms an exception to the general rule. Therefore, Wilma (the opponent) must be enabled to challenge the connection premise of any argument that instantiates this scheme, without challenging the scheme itself, also now that she has become committed to these connection premises as presumptions. If she does challenge the present connection premise in this way, she thereby retracts her commitment to only this instantiation of From Expert Opinion: "Why should I accept that there is no life without phosphorus on account of your professor's say-so?" But, just as in the case of tenability criticism, Bruce can reply to connection criticism by three kinds of countercriticism.

First, Bruce obtains, following upon Wilma's connection criticism, the right to request for explanation. Before deciding about whether and how to discharge his burden of proof, Bruce may want Wilma to provide reasons for her connection criticism, requesting her for counterconsiderations that could assist him in making further strategic choices: "What should I do to convince you of the sufficiency of the professor's say-so?" Such a request for explanation can be captured by the move "Explain (Why If *P* then *Q*?)." Wilma ought to provide an explanation upon request, since she is committed to the connection premise she challenges as to a presumption because of her commitment to the argumentation scheme that underlies Bruce's argument.

If Wilma provides the requested explanation, that does not imply that she has a burden of proof or is defending a standpoint of her own. She can put forward her counterconsiderations as cautious assertions: "Your professor might be too afraid for the criticisms he would meet with if he acknowledged the relevance of the recent

experiments for disproving the CHNOPS-assumption, in case these experiments turned out to be a hoax." She then merely tries to point out that there is a genuine possibility, i.e. a logical possibility that is also sufficiently realistic, that the premises of the proponent's argument are worthy of acceptance while its conclusion is worthy of critical doubt.

For each counterconsideration that Wilma puts forward, Bruce must provide a convincing argument, either showing the counterconsideration to be incorrect, or showing it to have insufficient refutatory force, or showing that the counterconsideration confronts us with a counterexample to his reasoning that is too far-fetched and insufficiently realistic.[20]

Second, Bruce could request for counterargumentation, trying to impose a burden of proof on Wilma: "Why (not if *P* then *Q*)?" Unless Wilma's connection criticism has taken the form of a rejection, in which she has strongly denied the connection premise ("It is not the case that if *P* then *Q*"), such a request for counterargumentation must be seen as a Fallacy of Straw Man.

Third, Bruce could request for *validation* of the connection criticism: "Why (Why If *P* then *Q*?)?" Bruce might reply to Wilma's connection criticism: "Why would anyone challenge the sufficiency of my professor's expertise?" With such requests for validation, the proponent requests for an argument in favor, not of the denial of the connection premise, but of the appropriateness of challenging – and thereby expressing a lack of commitment to – the connection premise. In this case, Bruce does licitly impose a burden of proof on Wilma, be it at a meta-level of dialogue.

Argumentation schemes are binding for an opponent in the sense that, in the case of Bruce and Wilma, Wilma incurs a conditional obligation to offer explanatory counterconsiderations and validations (as well as in special circumstances counterarguments) if she accepts the argumentation scheme at hand as either a fixed concession or as a presumption, but then, in a given case of application of the scheme, challenges the connection premise. This view resembles the "shifting burden of proof theory of the binding nature of argumentation schemes" (Walton, Reed & Macagno, 2008, p. 35), according to which the opponent must provide an argument that the case

[20] Van Laar (2012) proposes a formal dialectical system that implements these dialogue rules.

is exceptional, if she challenges the connection premise on that account.[21] Thus Walton, Reed, and Macagno recognize a kind of burden of criticism. Our approach, however, differs from theirs in its characterization of the nature of this burden of criticism. In our view, the burden of criticism often amounts to the conditional obligation to provide counterconsiderations or validations, neither of which are counterarguments in the sense of arguments supporting the denial of an initial standpoint or of a (connection) premise of one's interlocutor. Argued challenges and explanations of challenges are, we would say, capable of defeating the proponent's use of an argumentation scheme, just as well as counterarguments.

5. Fallacies

In Section 4, we discussed norms for countercriticisms and responses to countercriticisms. It will be useful to survey the various mistakes and fallacies that constitute transgressions of these norms and of other related norms including those for the original criticism. Therefore, we shall present a brief survey of things that can go wrong when the opponent advances a critical reaction, or when the proponent requests the opponent to provide reasons for her critical reaction, or when the opponent, in turn, responds to such requests. We make a distinction between (1) violations of the rules for critical discussion, which are called *fallacies* (van Eemeren and Grootendorst, 1992; 2004), (2) violations of the rules of a particular type of institutionalized activity, which we label *faults*, and (3) moves that contravene the optimality rules, which are labeled as *weak moves*, and sometimes as *blunders* (Krabbe and van Laar, 2011a; 2011b). However, the survey below will be restricted to fallacies.

When the opponent puts forward a critical reaction:

1. When advancing a critical reaction, the opponent may commit the Fallacy of Straw Man by focusing at a proposition that has not been put forward by the proponent, or not in that way.

[21] Walton, Reed, and Macagno provide a formal specification of this theory (2008, pp. 388-389).

2. Further, the opponent can challenge a fixed concession, which constitutes a fallacy.
3. Next, the opponent can challenge *T*, without making further retractions, in a situation where *T* has been defended by an accepted *ex concessis* argument, "*Q* so *T*," where *Q* is a set of explicit premises. As Walton and Krabbe (1995, p. 147, see also Structural Rule 11.1 on p. 152) have argued, in such situations, the opponent ought to adjust her set of concessions so as to restore that set's "external stability," by also retracting either (part of) *Q*, or alternatively the connection premise: "The premises in *Q* taken together are a good reason for *T*," or both. Suppose, the argument "There is no living organism in the tube (*T*), since there is no phosphorus in the tube (*Q*)" has been accepted by Wilma. At some later point in the discussion, Wilma might have to adjust her set of concessions after challenging the conclusion of this *ex concessis* argument: "Why is there no living organism is this tube?" If Wilma failed to retract either the connection premise or *Q*, she would have committed a fallacy.[22]

When the proponent puts forward a countercriticism:

4. The proponent may commit the Fallacy of Straw Man and possibly that of the Shifting the Burden of Proof when requesting counterargumentation for not-*T* in a situation where the opponent has not rejected *T*, but merely challenged it. Note that in our view, this fallacy also takes place when *T* is among the presumptions of the discussion. See Norm 4 in Figure 2.
5. Next, the proponent may wrongly request for the validation of the opponent's challenge of a proposition *T* that is not a presumption. A validation of a challenge of a proposition that is not a presumption is never required. Requesting for a validation when *T* is not a presumption of the discussion can be seen as a fallacy that resembles or constitutes a special type of the Fallacy of Shifting the Burden of Proof. See Norm 7 in Figure 2.
6. Other fallacies occur when the proponent qualifies permissible moves by the opponent as impermissible; for instance, when he falsely acts as if the opponent

[22] An alternative analysis would consist in labeling the conclusions of such *ex concessis* arguments as "presumptions" as well, and requiring the opponent to *explain* the challenge of such presumptions by informing the proponent about her external stability adjustments (informing him about the additional retractions). In this paper, however, we have chosen to classify the challenge of such conclusions without making the required retractions as fallacious.

challenged a fixed concession (pretending that it is now possible for him to withdraw from the discussion without losing the discussion).[23]

When the opponent responds to a countercriticism:

7. The opponent may make the mistake of failing to provide an explanation of her critical reaction, as requested, after having challenged a presumption. Doing so, the opponent does not merely violate the optimality norms, but actually hinders the resolution process. By taking away an agreed upon point of departure of the discussion without informing the proponent about her new position, it will be very hard for the proponent to find a reasonable way to continue the discussion. We could name this the *Fallacy of Thwarting*.[24] See Norm 3 in Figure 2.
8. The opponent may also make the mistake of failing to provide an explanation as requested after having weakly denied the proponent's assertion. See Norm 2 in Figure 2.
9. Next, the opponent may fail to provide counterargumentation when, in fact, the proponent requests her to do so in response to her rejection. This fallacy constitutes a type of the Fallacy of Evading the Burden of Proof. See Norm 5 in Figure 2.
10. Further, the opponent may make the mistake of failing to provide a validation of her critical reaction, as requested, after having challenged a presumption. This resembles the Thwarting fallacy, but diverges from it by being a kind of *Fallacy of Evading the Burden of Proof* because a burden of proof has been incurred through the proponent's request to provide a validation. In the case of the Thwarting fallacy, there is no such request, and hence no burden of proof. See Norm 8 in Figure 2.
11. Other fallacies occur when the opponent qualifies permissible moves by the proponent as impermissible. See Norm 1 and Norm 6 in Figure 2.

6. Conclusion

[23] If the opponent had challenged, and thereby tried to retract, a fixed concession, the proponent should be able to withdraw from the discussion without losing the discussion (cf. Barth & Krabbe, 1982, p. 63, Rule FD E5)
[24] Thwarting may be compared to the peevish behavior of an answerer who obstinately refuses to grant the proper concessions (*duskolos*), described in *Topics VIII.1,* 156b33-36, *VIII.8,* 160b2-13, *VIII.11,* 161a23-24 and 161b9-10 (Aristotle, 1976).

The procedure of critical discussion, as a method for the resolution of differences of opinion, has both competitive and cooperative features. On the one hand proponent and opponent each have their role to play and their aims in the discussion are opposed. But on the other hand, as we have seen, the quality of the discussion can be enhanced if the discussants are prepared to invest more in their "common task" than is required by just following the rules of critical discussion.[25] This cooperative attitude is exemplified by an opponent who provides hints for the proponent in the form of counterconsiderations that constitute strategic advice for the latter about what needs to be done in order to convince the former. We take it that though a positive and helpful response to the proponent's countercriticism (of the opponent's criticism) is in many cases not a necessary condition for reaching a resolution of the difference of opinion on the merit, such a response will nevertheless generally be conducive to reaching a resolution.

Therefore, the competitiveness inherent in critical discussion must be mitigated: Upon the proponent's request, it is the opponent's responsibility to try and guard the quality of the discussion by providing her counterconsiderations (strategic advice), if available, thus assisting the proponent in developing an argumentative strategy that defuses these counterconsiderations. Moreover, rules of critical discussion should oblige the opponent to accede to the proponent's request if she challenged a proposition that counts as a presumption in the dialogue at hand.

We hope that it will be obvious that we do not plead for the abolishment of all competitiveness. On the contrary, we see roles and competition as essential for a critical discussion. Within this competitive context, however, both parties have a responsibility for the quality of the discussion, which complements the obligation to play the competitive game according to the rules, and thus goes beyond the minimal requirement that there should be no fallacies.

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[25] Cf. Aristotle's notion of a common task (*koinon ergon*), *Topics VIII.11*, 161a19-21 and 161a37-39 (Aristotle, 1976). On cooperativeness and competitiveness, see also Krabbe (2009).

Krabbe, 2011). Also, we would like to thank the two anonymous referees of this journal for their highly directive critical reactions.

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